

## **RULE 157.6**

### **SEALED DOCUMENTS AND PLEADINGS**

A pleading or document listed in subsection (a) that is designated in the caption of the document or pleading as being filed pursuant to Local Rule 157.6(a) (Sealed Document) shall be accepted as filed under seal without prior approval from the Court. Otherwise, parties seeking to seal a pleading or document shall file a motion to seal in accordance with subsection (b).

#### **(a) Automatic Sealing**

The following pleadings and documents shall be sealed upon filing. They shall remain sealed until further order of the Court, unless otherwise provided below.

(1) search warrant applications, supporting affidavits and resulting warrants, which shall be sealed until the warrant is executed and returned to the Court;

(2) arrest warrants, which shall be sealed until the warrant is executed and returned to the Court;

(3) motions, orders, and notices concerning matters occurring before the grand jury;

(4) applications and orders for pen/trap devices, or wire, oral or electronic communication interceptions;

(5) applications and orders for the disclosure of tax information;

(6) motions and orders involving the Classified Information Procedures Act;

(7) requests for authorization of investigative, expert or other services pursuant to the Criminal Justice Act, and resulting orders, which shall be sealed until 30 days after final determination of the action by this or any appellate court;

(8) all *ex parte* requests;

(9) motions, orders or any other pleadings and documents involving the Juvenile Delinquency Act; and

(10) mandatory plea agreement supplements, as provided in Rule 111.

#### **(b) Motions to Seal**

A party seeking to obtain an order sealing any pleading or document not listed in subsection (a) of this Rule, or seeking to continue the sealing of any pleading or document already sealed shall file a motion pursuant to this subparagraph (b). The motion shall state the basis for sealing, the period of time during which the document(s) are to be sealed, and shall set

forth specific findings as to the need for sealing and the duration thereof. The motion itself shall be filed under seal, and remain sealed pending order of the Court pursuant to subsection (e) of this Rule. The documents or pleadings for which sealing is sought will be accepted provisionally under seal. Unless the motion is filed *ex parte*, the motion shall include a statement whether there is agreement of the parties to the sealing.

**(c) Objections**

Any objection to a motion to seal pursuant to subparagraph (b), and any reply thereto, shall be filed under seal. Unless otherwise ordered by the Court, the objection and reply shall be filed in accordance with Local Rule 147.

**(d) Captions and Attachments to Motions**

The caption for a motion to seal, and any objections thereto, shall clearly identify the pleading as relating to sealed matters. Any documents submitted along with the motion to seal shall bear the proper case number and contain the words “Filed Under Seal” in the caption.

**(e) Orders**

- 1) If the Court grants a motion to seal filed under subsection (b), it shall state its findings supporting the issuance of an order to seal, and shall specify the duration of sealing. In making specific findings as to the need for sealing and the duration the document(s) shall be sealed, the Court may incorporate by reference the proposed findings in the motion to seal.
- 2) If the Court denies a motion to seal filed under subsection (b), any proposed documents tendered under provisional seal with the motion to seal shall be returned to the moving party and any electronic versions of the proposed pleadings or documents shall be removed from the ECF system by the Clerk unless otherwise ordered by the Court. The denied motion to seal shall remain sealed indefinitely, unless otherwise ordered by the Court.

**(f) Form of Filing**

Filings under seal, and motions to seal and objections and replies thereto, shall be in paper, unless otherwise directed by the Clerk.